G. R. S. 58]

*Previous references.*

File No. 564

1913

(Miscl.)

Serial Nos. 1–4

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 1–4

Part B for August 1915

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SUBJECT. Writing off the accounts of the rent due in Kind (Paddy) to the Sri Rishya Shringeswaraswami temple at Kigga, Koppa Taluk

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To, The Comptr + D.C Kadur No 444-5 5.8.15

Sanctions the ——

GPB—10,000—23-3-15

C Krishnamurthy

VII

1656
132

G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(Mudrai)

NOTES.

File No. 564-13

FILE HEADING.

Writing off the accounts the rent due in kind (paddy) to the Sri Rishyasringeswaraswami temple at Kiggal in the Koppa Taluk.

From

The Deputy Commissioner, Kadur District.

No. 397 Dated 26.2.14 Received 11.3.14

| Diary No. 1656 | Enclos. file Spare Copies. | Serial No. 1 |
|---|---|---|

BRIEF ABSTRACT OF LETTER.

Recommends sanction to the writing off the accounts the value of the rent for 1909-10 of 48 Kandis and 18 Kolgas of paddy less the sum of Rs 15 realized from the sale of planks belonging to Sinjamma Heggade, the Patel.

NOTES AND ORDERS.

The lands in the joint Khata of the defaulters Yadadalli Dugga Heggadthi Kom Annanja and Sinjamma bin Ramanna were notified for sale on 27.7.10 for the arrears of Kandayam and rent due to the temple. The defaulters, however, produced the amount on

NOTES—First Sheet.

GPB—35,000 15 6 12

Serial No.

well as paddy on 27.7.10 before commencement of the sale. Venkatachaliah, the Shanbhogue noted on 27.7.10 that the paddy recovered had been left in the custody of the Patel and Mutchalika taken from him and Gopaliah, Shekdar noted that the arrears of Kanday am recovered had been brought on the Khirdi and the paddy had been left in the custody of the Patel etc. [The amount was credited to Treasury on 2.8.10]

Patel Sugaiana Heggade gave a Mutchalika on 27.7.10 that the paddy was with him and that he would produce it when called for.

It is therefore not that the rent has not been recovered from the defaulters but that it has been lost when it had been left in the custody of the Patel

The Taluk authorities ordered on 4.11.1911 that the produce for 1910-11 might be kept in amanat along with that for 1909-10. The Shekdar reported on 25.5.12 that Patel Sugaiana was dead that his moveable property had been taken away by Sugaiana's mother Manja Heggadthi & her son-in-law's house at Nemmar and that Sugaiana's wife Thangi Heggadthi lives in her mother's house, that the mother pleads ignorance in the matter and states that she received no property am-

P

NOTE—Contn. sheet

GPL—60,000—7 11 13

Serial No.

and cannot therefore give the paddy and solicited instructions for the recovery of the paddy.

From the records of enquiry it is seen that the mother points to her daughter-in-law as the person who took away all the property of the deceased while the wife who is reported to have remarried states that she returned to her own mother's house without any property and that her mother-in-law took away the property and gave it to her son-in-law

The only moveable things that were found were 20 planks of the belonging to the deceased which have fetched at the auction sale, Rs 15/-

The Dr Comr recommends the writing off the accounts of the temple the value of 48 Kh 18 Kolagas of paddy less the value of planks realized.

The following points seem to require consideration:-

On what date did the Patel die

why no steps were taken to have the paddy sold from 27.7.10 to 4.11.11. who are all the persons responsible for the loss.

Why was the paddy left in the custody of the Patel not taken over

NOTE—Contn. sheet.

GPB—60 000—7 11 13

Serial No.

possession of by his successor soon after the Patel's death.

Subd for orders

Rd(65) 48 Khandies of Paddy belonging to the 26/5 Sri Rishyasringeswara Swami temple at Kiggi, Kopps Taluk were deposited with Patel Sigamma who has recently died. Her mother went away & her son in law his wife has married again. The temple accounts having shown this due against the Patel, enquiries were set on foot as to how the accounts should be adjusted The mother & the wife were summoned before the Amildar, & deposed that either of them had not taken anything of the deceased's property, each throwing the blame on the other. The only property available was a few wooden planks which went off for 5 Rs equivalent to 7½ Khandies of paddy, so that the temple accounts still show a balance of 41½ Khandies of Paddy as due from the Patel Sigamma.

The Amildar, the Sub Dy Comr and the Dy Comr recommend that this may be written off the accounts, as the paddy is irrecoverable.

NOTE—Contn. sheet

GPB—60 000—7 11 1

General and Revenue Secretariat.

File No. 564 of 1913.

Serial No.

There appears to have been all through some irregularity in handling this item of temple property. Paddy should not have been deposited with the Patel. It should have been sold by auction & the sale proceeds credited to temple funds. The paddy was with the Patel for nearly a year at least as gathered from the Vernacular records.

The Mahazar of the inhabitants and Patel of Shembhog of Yedadahally shows that it was the mother of the Patel that has carried away his moveables worth hundreds of rupees to her son in law Kumara Hegade at Nemmar where she is residing. The wife who had married the Patel only 6 months before her death is a young girl & can not be expected to know much about the family properties & is therefore not likely to have taken away any of the her husbands properties.

The temple should not be deprived of what is justly due to it simply because his mother & other legal heirs say they cannot give anything

NOTE—Contn. sheet.

GPB—60,000—7 11 13

4½ Khandis of paddy there will cost nearly 85 Rs which the temple has still to get.

May the Dy Cmr be asked to issue instructions to the Amildar to recover the Paddy or money equivalent thereof from the late Patel's mother & her son-in-law who are more likely to have carried off the bulk of the Patel's property, and credit the same to the temple funds & report his having done so to this Office at an early date?

RL
27.5.14

I am afraid since the Enquiry held by the Assistants has not elicited anything definite bet one & mutual recriminations between the mother-in-law & daughter in-law (mother & sons of the deceased Patel) it is difficult to enforce any legal obligation on either. It is apt that the authorities who held the Enquiry did not probably Enquiry shall further report as to a decision as to who is responsible for the property that was in the deceased's

NOTE—Contn sheet.

GPB—60,000—7 11 13

1656

7

General and Revenue Secretariat. | File No. 584 of 1913.

Serial No.

at the time of his death. It was agreed to write again to push the Engineer for further and better report as it is doubtful if any letter will follow.

Mr Dixon is agreeable to the suggestion left the Paddy for such a long time with the Rebel Council selling it. As the various procedure followed that has resulted in the various abbreviations and who the officers were that authorised the procedure has not been traced. Mr for consideration whether there should be asked to make good the loss to the people as a deficiency became at least officers as far as possible there is no help but to sanction its writing off.

458 Mr. Number

The property (Paddy) was what had been received by the deceased in trust & kept in deposit. The Patel does not seem to have died left sufficient property to pay return the deposit

NOTE—Contn sheet.

GPB—60,000—7 11 13

Serial No.

It is not a fit Case to ~~Sh~~ write off. Further steps shd be taken to recover the dues. If necessary, a Suit may be filed against the persons responsible

1/6/14

Dy 3/6

Draft wire

Draft letter to the Dy Comr. Kadra Dt. in the above terms is submitted for approval

5/6/14

Addl

5/6/14

5/6/14

2 To the Dy Comrs. Kadra No. 3380 dy 9.6.14 Calls for a report in the matter.

3 From, the Dy Comrs, Kadra Dy No. Letter no. 39 dy 19th July 1915 Reports that as explained in his letter the deceased Tehsl.

NOTE—Contn. sheet.

GPB—60,000—7 11 13

Serial No.

has left neither any property nor legal heirs behind him to be proceeded against, and repeats his recommendation to the writing off the accounts the paddy due by the deceased to the Sri Kshetra Sringeswara Swami Temple at Kigga, Koppa Taluk.

Submitted with a draft order sanctioning the Dy Commrs. recommendation

AV(94) 20.7.1915

The Patel's property is said to have been mortgaged. Is there any information on the record as regards its value and the amount of mortgage and whether the equity of redemption is worth anything

Q.

No information about the value of the property and the amount of mortgage is available in the record In the mahazar Dy 12-11-1912, it is stated that the deceased Patel had a house which was taken away by his ~~creditors~~ creditors. In the statements of the Sawbag and Patel and also in the mahazar of February 915, it is mentioned that the deceased

NOTE—Contn sheet

GPE—60 000—7 11 13

R. S. 12]

General and Revenue Secretariat.

File No. 564 of 1913

Serial No.

Patel leaves behind him no property either moveable or immoveable to be proceeded against.

Submitted
AV(94) 24.7.1915.

Subd. to the circumstances when it does not seem practicable to proceed against any person or property for the recovery when amount may be written off

Lee
27.7.15

May be written off with the remark that the loss was due to the indifference of the Taluk ~~authorities~~ Office at the time the Paddy was received from the tenant.

31/7/15

Asst.
Le
31/7/15

Asst
31/7/15
AV

Submitted with a draft order.
AV(94) 2.8.1915

AV
Le
2/8/15

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

G. R. S. 12]

General and Revenue Secretariat.

File No. 574 of 1913.

| Serial No. | |
|---|---|
| 4 | No 444-S of 5 8/15- to Dy Com Kaira Comptr Kgdt, which shall the balance due to the temple may be written off the accounts of as it has long been due to the inability of the [illegible] |

NOTE—Contn. sheet

GPB—25,000—30 4 15

191

From The Deputy Commissioner
Kadur District

To The Secretary to Govt
Secl & Rev Depts.

Dated 26-2-1914
Despatched 10-3-1914
Received
General No. 397
No.
Enclosure No. 1 file.

Reports regarding
the arrears due
to Rushyasringa Temple
at Kaggahom Kongarna
Heggade

DIARY No. 1656
1913-1914
SECTION Mudras
FILE No. 534-13
SERIAL No. 1

GPB—50,000—8-1-13

Office of the Deputy Commissioner.
Kadur District.

Dated 26th February 1914.

From

K Krishna Iyer Esqure
Deputy Commissioner,
Kadur District

To

K R Srinivasa Iyengar. Esquire M A.
Secretary to the Govt of Mysore
General and Revenue Depts

Sir

I have the honor to State that for the recovery of rent, viz 48½ candies of paddy due by one Dibganna Heggade (corrected from Sri Rishya Srungeswara Swami temple at Hegga, Koppa Taluk for the year 1909-1910, Co-ercive processes were taken and the moveable properties viz, 20 wooden planks belonging to the defaulter were attached and sold by public auction, as a result of which, a sum of Rs 15/- which is said to be equivalent to the value of 7½ candies of paddy was realized

(2) Since the defaulter is reported to be dead and as there are no means of recovery of the balance, viz 41 Candies of paddy still due to the institution, I would recommend that the same may be kindly ordered to be written off the accounts of the temple.

(3) The file of vernacular papers ending with the Kadur Sub Divisional Assistant Commissioners yadi No 705 dated 20th December 1913 bearing on the subject is also herewith submitted for kind reference and return.

I have the honour to be
Sir
Your most obedient humble servant

Deputy Commissioner

The Kadur District

File No. 364-13

Serial No. 2

*Diary No. of letter replied to*

No. 3380

Encl 1 Vern: file.

General and Revenue Secretariat

( )

, *the* 191 .

To

The Dep. Comr.

Kadawa District.

Date of issue 9th June 1914

Signed by Aravamudan for C

Sir,

With reference to your letter No. 397 dated the 28th/10 Feb.y/Nov. 1914 recommending ~~the writing off the accounts of~~ the balance of 47 ~~odd~~ kandrés of paddy due to the Sri Rishyasringeswara Swamy temple at Kegga from the late Patel Kaigama, I am directed

over.

Men
off the accounts
of the temple,

SUBJECT.

estate that as the paddy ~~was stated~~ had been received by the deceased in trust & kept in deposit, and the deceased Patel seems to have left sufficient property to return the deposit, Govt do not consider this a fit case to write off the accounts ~~that~~ the property due to the temple, and to request you to be so good as to have further steps to be taken to recover the dues. If necessary a suit may be filed against the persons responsible.

No report has been received of the action taken with regard to the ~~2)~~ 5 items mentioned in ~~the~~ Govt letter No. 1 dated 5th ~~reported~~ January. A report may be submitted at an early date.

I have &c.

Sd/-

for Secy to Govt.

5/6/14

*List of enclosures.*

*Copied by*

*Examined by*

GPB—25,000—8 & 11.

Pr VI

GPB.—100,000—29-7-14

1915.

From

The Deputy Commissioner,
Kadur District

To

The Secretary to Govt,
Genl & Rev: Departments,
Bangalore.

Dated 17th
Despatched 19th } July 1915

Received

General No. 39.
No.

Enclosure No. ~~Nil~~ one file.

Requesting to write off
41 Kandies of paddy due
from Singamma Heggade
to Sri Rishyasringeswara-
swami Temple at Kigga

Office of the Deputy Commi

Kadur District,

Dated Chikmagalur, 17th July 1915.

DIARY No. 132

19/5/16
SECTION Mur
FILE No. 564-13
SERIAL No. 3

From,

K. Krishna Iyer, Esquire.,

Deputy Commissioner, Kadur District.

To,

D. H. Narasinga Rao, Esquire., B.A., B.L.,

Offg. Secretary to the Government of Mysore,

General & Revenue Departments,

B A N G A L O R E.

Sir,

Adverting to your letter No. 3380/Muz. 564-13-2 dated 5th June 1914, calling for report in re the steps taken to recover the balance of 41 Kandies of paddy due to the SriRishyasringeswara-swami temple at Kigga, Koppa Taluk, from the late Patel Singanna Heggade, I have the honor to state that before the death of Singanna Heggade, all his immovable property had been mortgaged to another and that what little of his moveables remained after, had also been disposed of by his mother, who is also since dead. The wife of the defaulter, who was a minor girl, was subsequently married to antheor after his death and is now living with her second husband. Thus, the defaulter has left neither any property nor legal heirs, behind him to be proced-

proceeded against. In these circumstances, I consider that the balance of 41 Kandies of paddy due to the institution from the deceased Singanna cannot be recovered and therefore recommend that the same may be written off the accounts as it is irrecoverable.

The vernacular records ending with Kadur Sub Divisiona Assistant Commissioner's yadi No. 673 dated 22nd February 1915 is herewith submitted.

I have the honor to be,

Sir,

Your most obedient Servant,

Deputy Commissioner,

Kadur District.

C.M.K.

Proceedings of the Government of His Highness

the Maharaja of Mysore.

R e a d:--

Correspondence ending with letter No.39 dated 17th July 1915 from the Deputy Commissioner, Kadur District, reporting that 48 candies and 18 kolagas of paddy being the rent due to Sri Rishya Sringeswara Swami Temple at Kigga for the year ---- 1908-09 was deposited with the Patel Singanna Heggade who is since dead, and that a sum of Rs.15/- equivalent to the value of 7½ candies of paddy, was realised from the sale of planks belonging to the deceased who has left no other property which may be proceeded against for the balance of the value, and recommending that the amount may be written off the accounts as irrecoverable.

Order thereon:--No. 444-5 Enclosure
Mis 564-13-4
Dated Bangalore, the 5th August 1915.

Under the circumstances represented by the Deputy Commissioner, the balance due to the temple in question may be written off the accounts. It is regrettable to note that the loss was due to the indifference of the Taluk Office at the time the --- paddy was recovered from the tenant.

Jain Draft

for Secretary to Government,
Revenue Department.

To

The Comptroller, Mysore Government.
" Deputy Commissioner, Kadur District returning the --- records.

L. R.3.